Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Message Text

CONFIDENTIAL

PAGE 01 STATE 014293

42
ORIGIN NODS-00

INFO OCT-01 ISO-00 /001 R

666
DRAFTED BY: H:WITOH:WLK
APPROVED BY: H:WITOH
S/S- JPMOFFAT
---------- 082337
O 212010Z JAN 76 ZFF4
FM SECSTATE WASHDC
TO AMEMBASSY MADRID IMMEDIATE

C O N F I D E N T I A L STATE 014293

NODIS
FOR MCCLOSKEY ONLY

FOL REPEAT OF STATE 014293 (TOSEC 010046) JAN 21

QTE:
C O N F I D E N T I A L STATE 014293 TOSEC 010046

NODIS

E.O. 11652: GDS

TAGS: OVIP (KISSINGER, HENRY A.)

SUBJECT: ACTION MEMORANDUM: TREATY ISSUE - FORM OF THE AGREEMENT (S/S 7601275)

FOR THE SECRETARY FROM MCCLOSKEY

1. THE NEW SPANISH GOVERNMENT WANTS A TREATY FOR POLITICAL REASONS. FONMIN AREILZA MADE THIS CLEAR BOTH DURING YOUR MEETING IN PARIS AND IN HIS RECENT LETTER. THE QUESTION BEFORE US IS TWOFOLD: WHETHER A TREATY IS THE BETTER FORM ON THE MERITS, AND WHETHER WE CAN REASONABLY EXPECT TO GET THE TWO-THIRDS VOTE NEEDED.
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 014293

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

2. WE BELIEVE IT WOULD BE DESIRABLE TO CONCLUDE THE SPANISH AGREEMENT AS A TREATY. BOTH INFLUENTIAL US SENATORS AND THE SPANISH WANT A TREATY. THE BROAD SCOPE OF THE AGREEMENT AND THE ABSENCE OF A COVERING SECURITY TREATY ARGUE FOR THE TREATY FORM. WHILE PRESENTING THIS AGREEMENT AS A TREATY MAY GIVE RISE TO SOME EXPECTATION WITH RESPECT TO TURKEY, WE BELIEVE THE TWO CASES ARE SUFFICIENTLY DISTINGUISHABLE TO JUSTIFY SEEKING A JOINT RESOLUTION FOR THE TURKISH AGREEMENT IF FORMAL CONGRESSIONAL APPROVAL IS REQUIRED. SINCE LAST OCTOBER, L HAS TAKEN THE POSITION THAT THE SPANISH AGREEMENT SHOULD BE SUBMITTED AS A TREATY EVEN

THOUGH L CONSIDERS THAT JOINT RESOLUTION APPROVAL BY CONGRESS WOULD BE EQUALLY VALID AS A MATTER OF LAW.

3. IN PARIS YOU PROMISED AREILZA WE WOULD CONSULT WITH THE CONGRESS WHEN IT RETURNED FROM RECESS TO ASSESS THE MOOD OF THE SENATE ON THE TREATY ISSUE BEFORE MAKING A FINAL DECISION. THE RECESS HAS MADE COMPREHENSIVE CONSULTATION DIFFICULT. HOWEVER, I HAVE TALKED WITH A NUMBER OF KEY SENATORS OVER THE PAST WEEK. THE GENERAL REACTION IS POSITIVE. MOST SAY THEY WILL SUPPORT A TREATY AND ARE OPTIMISTIC ABOUT SENATE PASSAGE. THE SPANISH ARE PRESSING TO HAVE THE WORD "DEFENSE" IN THE TITLE. WE MUST AVOID THIS. MANSFIELD BELIEVES THE PERFORMANCE OF THE NEW SPANISH GOVERNMENT WILL INFLUENCE THE VOTE OF MANY SENATORS. EAGLETON, WHO WILL SUPPORT US, ADVISES US TO DOWNPLAY THE MILITARY ASPECTS OF THE AGREEMENT. GARY HART, A GOOD BELLWETHER AMONG THE YOUNGER MEMBERS, WILL SUPPORT A TREATY. HE BELIEVES A DECISION TO SUBMIT AS A TREATY WILL HAVE A VERY POSITIVE EFFECT ON THE THINKING OF THE NEWER MEMBERS. HUMPHREY, CASE

AND, I BELIEVE, JAVITS WILL SUPPORT IT. MCGOVERN PROMISED ME SOME TIME AGO THAT HE RESERVED ON HIS OWN POSITION BUT WOULD NOT LEAD OPPOSITION AGAINST A TREATY. SENATORS CLARK, NUNN AND STEVENSON TOLD ME TODAY THAT THEY WOULD SUPPORT A TREATY, IF YOU DECIDE THAT THE ADMINISTRATION SHOULD SUBMIT IT AS SUCH.

CONFIDENTIAL

CONFIDENTIAL

4. FROM THIS ADMITTEDLY LIMITED BUT RELATIVELY REPRESENTATIVE SAMPLING MY STAFF HAS EXTRAPOLATED A VOTE COUNT WHICH WOULD GIVE US THE TWO-THIRDS NEEDED. NATURALLY, THIS PRESUPPOSES THAT NO NEGATIVE EVENTS OCCUR IN SPAIN OR WITHIN THE EUROPEAN COMMUNITY TO PREJUDICE THE AGREEMENT.

5. ON BALANCE, THEREFORE, I RECOMMEND THAT WE SHOULD

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

SUBMIT THE SPANISH AGREEMENT AS A TREATY. L AND EUR
CONCUR.

RECOMMENDATION:

THAT I BE AUTHORIZED TO INFORM THE SPANISH AND KEY
MEMBERS OF THE CONGRESS THAT WE WILL SUBMIT AS A TREATY.

---------- APPROVE DISAPPROVE

SISCO UNQTE SISCO

CONFIDENTIAL

NNN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TOSEC, MILITARY BASE AGREEMENTS, CAT-C
Control Number: n/a
Copy: SINGLE
Draft Date: 21 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE014293
Document Source: CORE
Document Unique ID: 00
Drafter: H:WITOH:WLK
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: P840098-2611
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760137/aaaabgok.tel
Line Count: 126
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN NODS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: NODIS
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: NODIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 21 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 APR 2004 by BoyleJA>; APPROVED <13 AUG 2004 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ACTION MEMORANDUM: TREATY ISSUE - FORM OF THE AGREEMENT (S/S 7601275)
TAGS: OVIP, PFOR, MARR, US, SP, (KISSINGER, HENRY A)
To: SECRETARY
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006